

**RESOLUTION NO. 09-140**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO A LOCAL AGENCY PROGRAM AGREEMENT BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, AND THE CITY OF HIALEAH, FLORIDA, A COPY OF WHICH IN SUBSTANTIAL FORM IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1", FOR RESURFACING AND IMPROVEMENTS TO THE I-75 AND NW 138 STREET INTERSECTION LOCATED IN HIALEAH, FLORIDA, IN AN AMOUNT NOT TO EXCEED \$1,800,000 AND AUTHORIZING THE EXPENDITURE OF THE CONTRACT SUM SUBJECT TO A FUNDING AND/OR REIMBURSEMENT SCHEDULE AGREED TO BY THE PARTIES.

**WHEREAS**, the Florida Department of Transportation has program funding for resurfacing and improvements to the I-75 and NW 138 Street intersection in an amount not to exceed \$1,800,000; and

**WHEREAS**, the City has agreed to complete construction of these roadway improvements in exchange for the timely periodic funding and/or reimbursement of the costs and expenses incurred in connection with the construction.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby incorporated and adopted by reference as if fully set forth herein.

**Section 2:** The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Local Agency Program Agreement between the State of Florida, Department of Transportation, and the City of Hialeah, Florida, a copy of which in substantial form is attached hereto and made a part hereof as Exhibit "1", for resurfacing and improvements to the I-75 and NW 138 Street intersection in an amount

not to exceed \$1,800,000; and further authorizes the expenditure of the contract sum subject to a funding and/or reimbursement schedule agreed to by the parties.

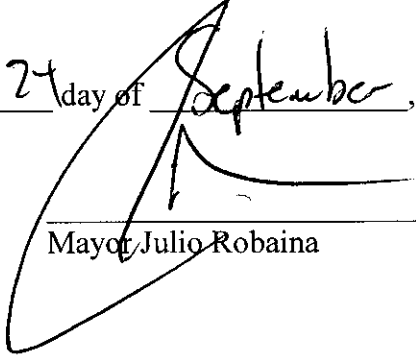
PASSED AND ADOPTED this 22nd day of September, 2009.

  
\_\_\_\_\_  
Carlos Hernandez  
Council President

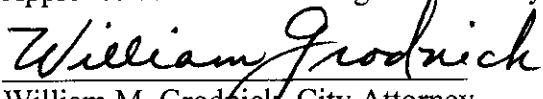
Attest:

Approved on this 24 day of September, 2009.

  
\_\_\_\_\_  
Rafael E. Granado, City Clerk

  
\_\_\_\_\_  
Mayor Julio Robaina

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".